



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JAN 11 2010

Ronald C. Machen, Esq.
WilmerHale
1875 Pennsylvania Ave., N.W.
Washington, D.C. 20006

RE: MUR 6236
MN-06 Congressional Victory Committee
and Christopher Ward, in his official
capacity as treasurer

Dear Mr. Machen:

In the normal course of carrying out its supervisory responsibilities, the Federal Election Commission (the "Commission") became aware of information suggesting that MN-06 Congressional Victory Committee and Christopher Ward, in his official capacity as treasurer, (the "Committee") may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). On August 7, 2009 the Commission notified your client of this matter's referral to the Office of the General Counsel, pursuant to the Commission's Agency Procedure for Notice to Respondents in Non-Complaint Generated Matters, as published in the Federal Register on August 4, 2009 (74 Fed. Reg. 38,617).

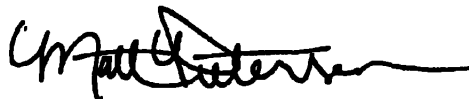
After reviewing the referral, the Commission on December 1, 2009, found reason to believe that the Committee violated 2 U.S.C. § 434(b), a provision of the Act. Enclosed is the Factual and Legal Analysis that sets forth the basis for the Commission's determination. The Commission did not take any action as to two other committees Christopher Ward serves as treasurer, IA-01 Congressional Victory Committee and NY-24 Congressional Victory Committee, which were also notified on August 7, 2009.

We have also enclosed a brief description of the Commission's procedures for handling possible violations of the Act. In addition, please note that you have a legal obligation to preserve all documents, records and materials relating to this matter until such time as you are notified that the Commission has closed its file in this matter. See 18 U.S.C. § 1519. In the meantime, this matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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We look forward to your response.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Matthew S. Petersen", with a long horizontal flourish extending to the right.

Matthew S. Petersen
Chairman

Enclosures
Factual and Legal Analysis
Procedures

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1 **FEDERAL ELECTION COMMISSION**

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3 **FACTUAL AND LEGAL ANALYSIS**

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5 **RESPONDENTS: MN-06 Congressional Victory Committee**
6 **and Christopher Ward, in his official capacity**
7 **as treasurer**

MUR: 6236

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9 **I. GENERATION OF MATTER**

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11 This matter was generated based on information ascertained by the Federal
12 Election Commission ("the Commission") in the normal course of carrying out its
13 supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

14 **II. BACKGROUND**

15 In the 2006 election cycle, the MN-06 Congressional Victory Committee and
16 Christopher Ward, in his official capacity as treasurer, ("MN-06 CVC") transferred a
17 total of \$134,000 to Bachmann for Congress ("BFC"). Nearly all of the funds transferred
18 from MN-06 CVC to BFC were proceeds of joint fundraising activity in which MN-06
19 CVC was participating. The joint fundraising proceeds were disbursed to MN-06 CVC
20 by joint fundraising representative committees established for that purpose, including the
21 2006 Joint Candidate Committee.

22 Pursuant to the Commission's *Procedure for Notice to Respondents in Non-*
23 *Complaint Generated Matters*, 74 Fed. Reg. 38617 (August 4, 2009), the Commission
24 notified Christopher Ward, the treasurer of MN-06 CVC, of this matter on August 7,
25 2009. There has been no response.

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1 **III. FACTUAL AND LEGAL ANALYSIS**

2 MN-06 CVC received \$89,725.17 in contributions from the 2006 Joint Candidate
3 Committee on October 18, 2006. Each participating committee in a joint fundraiser must
4 file a memo Schedule A itemizing its share of gross fundraising receipts as contributions
5 from the original contributors to the extent required by 11 C.F.R. § 104.3(a). *See*
6 11 C.F.R. § 102.17(c)(8)(i)(B). Although MN-06 CVC disclosed receiving its share of
7 jointly raised contributions through the 2006 Joint Candidate Committee before the
8 election, it did not itemize the contributor information until July 15, 2007, after receiving
9 inquiries from the Commission's Reports Analysis Division and nearly nine months late
10 and long after the 2006 general election. Thus, there is reason to believe that MN-06
11 Congressional Victory Committee and Christopher Ward, in his official capacity as
12 treasurer, violated 2 U.S.C. § 434(b) by failing to timely itemize contributions received
13 through the 2006 Joint Candidate Committee.

14 **IV. CONCLUSION**

15 Accordingly, the Commission finds reason to believe that MN-06 Congressional
16 Victory Committee and Christopher Ward, in his official capacity as treasurer, violated
17 2 U.S.C. § 434(b).

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